the claims must be restricted:

I. Claims 27-51, drawn to methods of identifying a compound capable of inhibiting specific binding between a signal-transducing protein and a cytoplasmic protein containing the amino acid sequence (G/S/A/E)-L-G-(F/I/L); and

II. Claims 52-76, drawn to methods of identifying a compound capable of inhibiting specific binding between a signal-transducing protein having at its carboxyl terminus the amino acid sequence (S/T)-X-X (V/I/L) and a cytoplasmic protein.

The Examiner stated that the inventions listed as Groups I and II (sic) do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: "An international and a national stage application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept ("requirement of unity of invention"). Where a group of inventions is claimed in an application, the requirement of unity of invention shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. In the instant case, the processes of Groups I and Group II do not share a corresponding technical feature. The methods of Group I have the special technical feature of a cytoplasmic protein containing the

amino acid sequence (G/S/A/E)-L-G-(F/I/L) and the methods of Group II have the special technical feature of a signal-transducing protein having as its carboxyl terminus the amino acid sequence (S/T)-X-(V/I/L).

The Examiner advised applicant that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 C.F.R. §1.143).

The Examiner reminded applicant that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 C.F.R. §1.48(b) if one or more of the currently named inventors is no longer an inventor of a least one claim remaining in the application and that any amendment of inventorship must be accompanied by a petition under 37 C.F.R. §1.48 CFR 1.48(b) and by the fee required under 37 C.F.R. §1.17(i).

In response to this restriction requirement, applicants hereby elect, with traverse, to prosecute the invention of Examiner's Group II, claims 52-76, drawn to methods of identifying a compound capable of inhibiting specific binding between a signal-transducing protein having at its carboxyl terminus the amino acid sequence (S/T)-X-X (V/I/L) and a cytoplasmic protein.

Applicants note that 35 U.S.C. §121 states, in part, that "[i]f two or more independent and distinct inventions are claimed in

one application, the Commissioner may require the application to be restricted to one of the inventions." [Emphasis added]. Applicants request that the restriction of Examiner's Group II from Examiner's Groups I be withdrawn in view of the fact that the claims of Examiner's Group II are not independent of Examiner's Group I and relate to a single general inventive concept under PCT Rule 13.1 because they have the same special technical features.

Under M.P.E.P. §802.01, "independent" means "there is no disclosed relationship between the subjects disclosed, that is, they are unconnected in design, operation and effect." The claims of Examiner's Group II, drawn to methods of identifying a compound capable of inhibiting specific binding between a signal-transducing protein having at its carboxyl terminus the amino acid sequence (S/T)-X-X (V/I/L) and a cytoplasmic protein, as recited in claims 52-76, are related to claims 27-51 of Examiner's Group I, drawn to methods of identifying a compound capable of inhibiting specific binding between a signal-transducing protein and a cytoplasmic protein containing the amino acid sequence (G/S/A/E)-L-G-(F/I/L), since the claimed methods both relate to methods of identifying a compound capable of **inhibiting specific binding between a signal-transducing protein and a cytoplasmic protein**. Applicants therefore maintain that the claims of Groups II and I relate to a single general inventive concept under PCT Rule 13.1 because they have the same special technical features and that Groups II and I are not independent. Accordingly, restriction is not proper.

Applicants, therefore, respectfully assert that two or more independent and distinct inventions, or two or more inventions or groups of inventions which are not related to a single general inventive concept under PCT Rule 13.1, have not been claimed in the subject application because the groups are not independent under M.P.E.P. §802.01 and have the same corresponding special technical features under PCT Rule 13.2. Therefore, restriction is improper under 35 U.S.C. §121 and §372.

Additionally, applicants point out that M.P.E.P. §803, the Examiner must examine the application on the merits, even though it includes claims to distinct inventions, if the search and examination of an application can be made without serious burden. There are two criteria for a proper requirement for restriction, namely (1) the invention must be independent and distinct; AND (2) there must be a serious burden on the Examiner if restriction is not required.

Applicants maintain that there would not be a serious burden on the Examiner if restriction were not required. A search of prior art with regard to methods of identifying a compound capable of inhibiting specific binding between a signal-transducing protein having at its carboxyl terminus the amino acid sequence (S/T)-X-X (V/I/L) and a cytoplasmic protein of Group II, (claims 52-76), will reveal whether any prior art exists as to methods of identifying a compound capable of inhibiting specific binding between a signal-transducing protein and a cytoplasmic protein containing the amino acid sequence (G/S/A/E)-L-G-(F/I/L) **of**

claims 27-51 of Group I. Since there is no burden on the Examiner to examine Groups II and I in the subject application, the Examiner must examine the entire application on the merits.

Applicants maintain that claims 27-76 define a single inventive concept. Accordingly, applicants respectfully request that the Examiner reconsider and withdraw the restriction requirement and examine claims 27-76 on the merits.

If a telephone conference would be of assistance in advancing the prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

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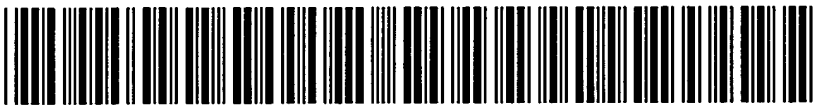

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